

FUKUNARI, et al., 10/802,910  
23 January 2008 Amendment  
Responsive to 23 October 2007 Office Action

500.43661X00 / W1471-01E1  
Page 7

### REMARKS

This paper is responsive to any paper(s) indicated above, and is responsive in any other manner indicated below.

### PENDING CLAIMS

Claims 1-10 were pending, under consideration and subjected to examination in the Office Action. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply refocused claims in which Applicant is present interested. At entry of this paper, Claims 1-10 will be pending for further consideration and examination in the application.

### '101 REJECTION - BEAUREGARD CLAIM(S)

Claim 10 has been rejected under 35 USC 101, apparently because such claims were allegedly not written in an acceptable Beauregard format. Applicant respectfully submits that appropriate ones of the rejected claims have been rewritten in another manner believed to be a proper Beauregard format. Based upon the foregoing, reconsideration and withdrawal of the '101 rejection are respectfully requested.

### ALL REJECTIONS UNDER 35 USC '102 AND '103 - TRAVERSED

All 35 USC rejections (i.e., the 35 USC '102 rejection of claims 1-3, 9 and 10 as being anticipated by Tadokoro et al. (U.S. Patent 6,463,352); claims 1-3, 9 and

FUKUNARI, et al., 10/802,910  
23 January 2008 Amendment  
Responsive to 23 October 2007 Office Action

500.43661X00 / W1471-01E1  
Page 8

10 as being anticipated by Tognazzini (U.S. Patent 5,790,974); and, the 35 USC '103 rejection of claims 4-6 as being unpatentable over Tadokoro et al. (U.S. Patent 6,463,352) in view of Oulu et al. (U.S. Patent 6,792,460); claims 7-8 as being unpatentable over Tadokoro et al. (U.S. Patent 6,463,352) in view of Oulu et al. (U.S. Patent 6,792,460) and further in view of Yamamoto et al. (U.S. Patent Pub 2002/0032839)) are respectfully traversed.

All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated hereat by reference. Further, all Office Action statements regarding the prior art rejections are respectfully traversed. As additional arguments, Applicant respectfully submits the following.

Applicant's disclosed and claimed invention is directed to arrangements capable of efficiently monitoring statuses of jobs executed on a computer and efficiently coping with failure in the jobs at high speed. As background, a complexity and number of individual jobs being performed within a given entity (e.g., within a major corporations computing facilities) has increased tremendously in recent history. For example, a manager within a single division of a major manufacturer may have responsibility for overseeing thousands of on-going computing jobs being performed. Such manager may easily become overwhelmed if presented with excessive information, e.g., with information concerning jobs not yet begun, jobs which have recently successfully been completed, etc.

Applicant's disclosed and claimed invention improves an efficiency of monitoring statuses of jobs, by limiting information presented to monitoring

FUKUNARI, et al., 10/802,910  
23 January 2008 Amendment  
Responsive to 23 October 2007 Office Action

500.43661X00 / W1471-01E1  
Page 9

personnel (e.g., a manager) to certain windows of information. More particularly, Applicant's disclosed and claimed invention involves both a "pre-set monitoring time zone" having a start time/date and end time/date, and a "pre-set browsing time zone" having a start time/date and end time/date.

Applicant's "pre-set monitoring time zone" may, for example, pertain to a time zone where a computer automatically monitors a job progress/result of an object (e.g., host; CPU; etc). For example, if a CPU2 of a Host2 is pre-set to perform a backup operation from 2:00am-4:00am, the "pre-set monitoring time zone" might be pre-set for monitoring within a slightly broader time window, e.g., 1:30am-4:30am. During this 1:30am-4:30am time window, the computing facilities will thus automatically monitor a job progress/result of the CPU2/Host2, and store information regarding the same (e.g., "normal"; "abnormal", etc.).

In contrast, Applicant's "pre-set browsing time zone" may, for example, pertain to a time zone where, for example, a monitoring person will specifically browse or look at a real-time progress/result of jobs to be monitored during his/her shift. For example, a manager may work a 12:00midnight-7:00am shift, and his/her job description might require that he/she specifically look at (i.e., browse) job progress/result during the 3:00am-4:00am browse time zone of his/her shift.

Accordingly, Applicant's disclosed and claimed invention includes the features/limitations of (using independent claim 1 language as an example):  
"selecting, when a pre-set browsing time zone ... overlaps with a pre-set monitoring time zone ..., a job to which the execution monitoring start date and time and the execution monitoring end date and time are specified and setting the job as a monitoring item to be monitored; and creating monitor screen data to

FUKUNARI, et al., 10/802,910  
23 January 2008 Amendment  
Responsive to 23 October 2007 Office Action

500.43661X00 / W1471-01E1  
Page 10

display a monitored status of the job selected as the browsing item." As a result, a monitoring person is presented only with information pertinent within his/her "pre-set browsing time zone". For example, using the manager example given within the paragraphs above, the manager would be presented with on-screen information pertaining to the job progress/result of the CPU2/Host2 (relevant to the backup operation from 2:00am-4:00am).

In contrast, if another CPU3 of a Host3 is pre-set to perform a data-move operations from 12:00midnight-1:00am, and a "pre-set monitoring time zone" corresponding thereto is set for monitoring within a slightly broader time window, e.g., 11:30pm-1:30am, the manager would NOT be presented with on-screen information pertaining to the job progress/result of the CPU3/Host3 (relevant to the data-move operations) because the 11:30pm-1:30am "pre-set monitoring time zone" and the 3:00am-4:00am "pre-set browsing time zone", do NOT overlap. In short, the manager would be presented only with information pertaining to his/her browsing time responsibilities.

Applicant's FIGS. 2-5 illustrate example tables including information pre-setting the "pre-set monitoring time zone" and "pre-set browsing time zone".

Turning now to rebuttal of the previously-applied art, it is respectfully submitted that all prior art rejections fail, in that none of the references (whether taken individually, or in the applied combinations) disclose or suggest any type of arrangement for "selecting, when a pre-set browsing time zone ... overlaps with a pre-set monitoring time zone ..., a job to which the execution monitoring start date and time and the execution monitoring end date and time are specified and setting the job as a monitoring item to be monitored; and creating monitor screen data to

FUKUNARI, et al., 10/802,910  
23 January 2008 Amendment  
Responsive to 23 October 2007 Office Action

500.43661X00 / W1471-01E1  
Page 11

display a monitored status of the job selected as the browsing item." As a result, a monitoring person is presented only with information pertinent within his her "pre-set browsing time zone".

More particularly, the primary Tadokoro et al. reference relates to a system for the management of cutting machines. A machine monitor component collects data from machine components, but nowhere is there a "pre-set browsing time zone" or the overlap of a "pre-set browsing time zone/a pre-set monitoring time zone" discussed. While Tadokoro et al. does mention a "browser", such just represents physical computers or monitors which a user can use to obtain information. Continuing, the primary Tognazzini reference appears to be even less relevant, in that Tognazzini relates to a portable calendaring device having a perpetual agent managing calendar entries. Applicant and the Undersigned have uncertainty as to why Tognazzini was cited as prior art, as the Examiner-pointed-to FIG. 5 is nothing more than a spread-sheet-type display of calendared times/items. At minimum, there appears to be no monitoring of a job effected within Tognazzini. For example, while FIG. 5's spread-sheet indicates that there is a "Breakfast Strategy Meeting" scheduled at 8am, there is no monitoring done.

Regarding the other ones of the applied references, none of such references cure the major deficiencies mention above with respect to the primary references. Accordingly, it is respectfully submitted that the previously-applied references (whether taken individually, or in the applied combinations) would not have disclose/suggested Applicant's claimed invention.

FUKUNARI, et al., 10/802,910  
23 January 2008 Amendment  
Responsive to 23 October 2007 Office Action

500.43861X00 / W1471-01E1  
Page 12

In addition to the foregoing, the following additional remarks from Applicant's foreign representative are also submitted in support of traversal of the rejection and patentability of Applicant's claims.

The independent claims 1, 9 and 10 and the dependent claims 2 and 3 are rejected over Tadokoro (USP 6,463,352) or Tognazzini (USP 5,790,974) under USC 102(b). Tadokoro relates to the querying of a database. However, the claimed invention relates to a job status monitoring system. Therefore, both are different.

Tognazzini, Fig.5 merely discloses a schedule. Applicant does not understand the reason why Tognazzini and the claimed invention are same. In Applicant's understanding, both are different.

Still further, neither Tadokoro nor Tognazzini discloses "a result of execution of the job" as claimed in Claim 2.

Regarding the 103 rejections, claims 4-6 are rejected over Tadokoro in view of Oulu (USP 6,792,460) under USC 103(a). Oulu discloses a system and method for measuring and monitoring a response time of Web sites. However, Oulu is different from the claimed invention. More particularly, Applicant's claimed invention relates to a method for calculating various information (a predetermined period of time and job execution time) for monitoring a job.

Claims 7-8 are rejected over Tadokoro and Oulu in further view of Yamamoto (US 2002/32839). Yamamoto relates to the correcting of time difference of the specified time zone, but does not relate to the correcting of a time difference between the monitoring place and the execution place for the job as claimed by Applicant's claimed invention.

FUKUNARI, et al., 10/802,910  
23 January 2008 Amendment  
Responsive to 23 October 2007 Office Action

500.43661X00 / W1471-01E1  
Page 13

As a result of all of the foregoing, it is respectfully submitted that the applied art would not support a '102 anticipatory-type rejection or '103 obviousness-type rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of such '102 and '103 rejections, and express written allowance of all of the rejected claims, are respectfully requested.

#### **EXAMINER INVITED TO TELEPHONE**

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any Examiner's Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.

#### **RESERVATION OF RIGHTS**

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to

FUKUNARI, et al., 10/802,910  
23 January 2008 Amendment  
Responsive to 23 October 2007 Office Action

500.43661X00 / W1471-01E1  
Page 14

maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

### CONCLUSION


In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in the application are now in condition for allowance.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR '1.136. Authorization is herein given to charge any shortage in the fees, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (Case No. 500.43661X00) and please credit any excess fees to such deposit account.

Based upon all of the foregoing, allowance of all presently-pending claims is respectfully requested.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

  
/Paul J. Skwierawski/

Paul J. Skwierawski  
Registration No. 32,173

PJS/slk  
(703) 312-6600